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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/588,925	08/09/2006	Tomoaki Ito,	00682P00680US	2411

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WOOD, PHILLIPS, KATZ, CLARK & MORTIMER  
500 W. MADISON STREET  
SUITE 3800  
CHICAGO, IL 60661

EXAMINER
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NASRI, JAVAID H

ART UNIT	PAPER NUMBER
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2839

MAIL DATE	DELIVERY MODE
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01/03/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/588,925	<b>Applicant(s)</b> ITO, TOMOAKI	
	<b>Examiner</b> Javaid Nasri	<b>Art Unit</b> 2839	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 12 and 13 is/are rejected.
- 7) ☒ Claim(s) 2-11 and 14-21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 August 2007 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/28/07</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of specie I (figures 1-13B, claims 1-21) in the reply filed on 10/18/07 is acknowledged.

### ***Drawings***

2. Figures 16-18 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

3. Applicant to provide a copy of the reference JP10-064170A mentioned in the specification.

### ***Claim Objections***

4. Claims 1-21 are objected to because of the following informalities:
  - a) The claims in general are not clear and confusing.

- b) In claim 4, last line, change "members" to -- member --.

**Note: These are few examples only. Applicant is required to check all the claims and correct them accordingly.**

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 12 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Lwee (5,324,204).

Lwee discloses, **for claim 1**, a base and a connector fixed to the base, and for connecting to the connector a data recording device of a substantially cuboid shape and with a plurality of connection terminals arranged at one side of the device, wherein the base comprises a receptacle being movable along a direction heading for the connector with accommodating the data recording device, and wherein the receptacle is adapted to hold the device by pressing both sides of the device along the direction in which the receptacle moves upon application of pushing force to the receptacle toward the connector, so as to move with adjusting the device in a position corresponding to a position where the connector is fixed, so that the connection terminals are connected to the connector, **for claim 12**, the base has a board provided with an interface circuit adapted to interface the data recording device and an external device connected thereto, wherein

the connector is secured to the board, **for claim 13**, a fixed position adjuster adapted to adjust a position where the connector is fixed.

*Allowable Subject Matter*

7. Claims 2-11 and 14-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**REASONS FOR ALLOWANCE**

8. The following is an examiner's statement of reasons for allowance:

The reason for allowance of the claims is the inclusion of the limitation,

- a) For claim 2, none of the prior art teaches or suggest, alone or in combination the both sides of the data recording device are being pressed only when the pushing force toward the connector is applied to the receptacle, and the both sides are released when the pushing force is not applied, in combination with other limitations in the claim which is not found in the prior art reference of record.
- b) For claim 3, none of the prior art teaches or suggest, alone or in combination the receptacle is being formed by combination of a first movable member to move along sliding guides secured to the base and a second movable member attached to the first movable member in such a manner as moving in a direction oblique to the direction in which the first movable member moves and along the base, and the first movable member having contact with one side of the data recording device along the sliding guides and the second movable member having contact

with the other side of the device along the sliding guides and a side facing to a side provided with the connection terminals, the pushing force toward the connector being applied to one selected from the second and the first movable members, in combination with other limitations in the claim which is not found in the prior art reference of record.

- c) For claim 4, none of the prior art teaches or suggest, alone or in combination the receptacle is being formed by combination of a first movable member to move along sliding guides secured to the base and a second movable member attached to the first movable member in such a manner as moving in a direction oblique to the direction in which the first movable member moves and along the base, and the first movable member having contact with one side of the data recording device along the sliding guides and the second movable member having contact with the other side of the device along the sliding guides and a side facing to a side provided with the connection terminals, the pushing force toward the connector being applied to the second movable member, in combination with other limitations in the claim which is not found in the prior art reference of record.

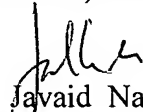
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### Contact

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javaid Nasri whose telephone number is 571 272 2095. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tulsidas C. Patel can be reached on 571 272 2800 ext 39. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Javaid Nasri  
Primary Examiner  
Art Unit 2839

JU  
Jhn  
December 24, 2007